	Application No.	**Applicant(s)**
Notice of Allowability	09/730,671	TINDAL ET AL.
	Examiner	**Art Unit**	
	Kenny Lin	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *6/2/2005*.

2. ☒ The allowed claim(s) is/are *14,24,26-29,31-32 and 35-43 now renumbered as 1-17*.

3. ☒ The drawings filed on *13 March 2001* are accepted by the Examiner.

4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a) ☐ All   b) ☐ Some*   c) ☐ None   of the:

         1. ☐ Certified copies of the priority documents have been received.

         2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

         3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

     * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

     (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

         1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

     (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date <u>hereto</u>.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date <u>6/2/2005</u>

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☒ Interview Summary (PTO-413), Paper No./Mail Date *7/11/2005* .

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other ____

JOHN FOLLANSBEE
SUPERVISORY PAT.
TECHNOLOGY CENTER 2100

U.S. Patent and Trademark Office
PTOL-37 (Rev. 1-04)   **Notice of Allowability**   Part of Paper No./Mail Date 07112005

DETAILED ACTION

1.   Claims 14-15, 24-32 and 35-43 are presented for examination.

2.   The IDS submitted on 6/2/2005 has been considered by the examiner.

3.   An examiner's amendment to the record appears below. Should the changes and/or

additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR

1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the

payment of the issue fee.

        Authorization for this examiner's amendment was given in a telephone interview with

Sean O'Dowd, Reg. No. 53,403 on July 11, 2005.

4.   The application has been amended as follows:

14. (Currently Amended) A method for optimizing data transmissions, the method comprising

the steps of:

        receiving a request for routing priority for a transaction, the request being originated by a

content provider;

        identifying a service level available to the content provider;

        determining a data transmission priority level to which the content provider is entitled,

the data transmission priority level based upon, at least, the identified service level and the

request for routing priority;

identifying at least a first transmission path accessible by the content provider, wherein

the first transmission path includes at least a first network device;

enabling a priority data handling feature associated with the at least a first

network device; [[and]]

responsive to completion of the transaction associated with the received request,

disabling the enabled priority data handling feature;

retrieving a configuration record from a central repository of configuration records, the

retrieved configuration record being unique to the at least a first network device and the retrieved

configuration record including configuration information about the at least a first network

device; [[and]]

altering the configuration record to include an indication that the priority data handling

feature should be enabled on the at least a first network device[[.]]; and

generating a device-specific command using the altered configuration record;

wherein the generated device-specific is for enabling the priority data handling feature

associated with the at least a first network device.

15. (Canceled)

24. (Currently Amended) A method for transferring data, the method comprising the steps of:

receiving a content transfer request;

determining the transfer priority of the content associated with the content transfer

request;

identifying a path for transferring the content associated with the content transfer requests the identified path including a plurality of network devices;

configuring at least a first of the plurality of network devices to assist in a content transfer corresponding to the content transfer request;

responsive to the completion of the content transfer request, returning the at least a first of the plurality of network devices to a default setting;

generating device-specific commands for the at least a first of the plurality of network devices;

wherein the generated device-specific commands are configured to enable a plurality of a priority data handling feature associated with the at least a first of the plurality network devices;

retrieving a configuration record from a central repository of configuration records, the retrieved configuration record being unique to the at least a first of the plurality of network devices and the retrieved configuration record including configuration information about the at least a first of the plurality of network devices; [[and]]

altering the configuration record to include an indication that the at least a first of the plurality of network devices should be enabled to assist in providing the determined bandwidth[[.]];and

generating a device-specific command using the altered configuration record;

wherein the generated device-specific command is for configuring the at least a first of the plurality of network device.

25. (Canceled)

26. (Currently Amended) The method of claim 24, further comprising the step of:

altering the configuration record to include [[an]]another indication that the at least a first

of the plurality of network devices should be configured to disable the determined bandwidth.

27. (Currently Amended) The method of claim 24, further comprising the step of:

~~altering the configuration record to include an indication that at least a first device should~~

~~be enabled to assist in providing the determined bandwidth~~ altering the configuration record to

include [[an]]another indication that the priority data handling feature should be enabled on

[[the]] at least a second network device.

29. (Currently Amended) A method for transferring data, the method comprising the steps of:

receiving a content transfer request;

determining the transfer priority of the content associated with the content transfer

request;

identifying a path for transferring the content associated with the content transfer request,

the identified path including a plurality of network devices;

configuring at least a first of the plurality of network devices to assist in a content transfer

corresponding to the content transfer request;

responsive to the completion of the content transfer request, returning the at least a first

of the plurality of network devices to a default setting;

generating device-specific commands for the at least a first of the plurality of network

devices;

wherein the generated device-specific commands are configured to enable a plurality of a

priority data handling feature associated with the at least a first of the plurality network devices;

retrieving a configuration record from a central repository of configuration records, the

retrieved configuration record being unique to the at least a first of the plurality of network

devices and the retrieved configuration record including configuration information about the at

least a first of the plurality of network devices; [[and]]

altering the configuration record to include an indication that a priority data handling

feature should be enabled at least on the at least a first of the plurality of network devices[[.]];and

generating a device-specific command using the altered configuration record;

wherein the generated device-specific command is for configuring the identified at least a

first of the plurality of network devices.

30. (Canceled)

31. (Currently Amended) The method of claim [[30]]29, further comprising the step of:

altering the configuration record to include an indication that the at least a first of the

plurality of network devices should be configured to disable the requested bandwidth.

32. (Currently Amended) The method of claim [[30]]29, further comprising the step of:

generating device-specific commands for the at least a first of the plurality of network

devices;

wherein the generated device-specific commands are configured to enable the at least a

first of the plurality of network devices to assist in providing the requested bandwidth.

38. (Currently Amended) The method of claim 14, further comprising the step of:

generating device-specific commands for the at least a first of the plurality of network

devices;

wherein the generated device-specific commands are configured to enable the priority

data handling feature associated with the at least a first of the plurality of network devices.

43. (Currently Amended) The method of claim 24, further comprising the step of:

determining a bandwidth for transferring the content within the requirements of the

determined transfer priority; wherein the generated device-specific commands are further

configured to enable the at least a first of the plurality of network devices to assist in providing

the determined bandwidth.

Allowable Subject Matter

5.   Claims 14, 24, 27-29, 31-32 and 35-43 are allowed.

6.   The following is an examiner's statement of reasons for allowance: None of the cited

prior art of record nor the submitted references listed in the information disclosure statements

fairly teaches or suggests all of the limitations of the claim language specifically the limitations

of: retrieving a configuration record from a central repository, the retrieved configuration record

being unique to at least a first of a plurality of network device and the retrieved configuration

record including configuration information about the at least a first of the plurality of network

device and altering the unique configuration record to include indications and then generating

commands using the altered configuration record. Furthermore, none of the cited prior art of

record or the submitted references suggests or teaches that the retrieving of the configuration

record is in responsive to completion of the transaction associated with a received request.

7.   Any comments considered necessary by applicant must be submitted no later than the

payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for

Allowance."

Drawings

8.   New drawings in compliance with 37 CFR 1.121(d) are required in this application

because during the hold punching and docketing process of this application, figures 1-5 were

hold punched through. The corrected drawings are required in reply to the Office action to avoid

abandonment of the application. The requirement for corrected drawings will not be held in
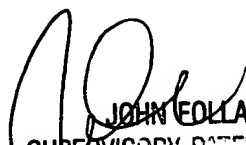
abeyance.

9.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Kenny Lin whose telephone number is (571) 272-3968. The

examiner can normally be reached on 8 AM to 5 PM Tue.-Fri. and every other Monday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the

organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ksl
July 12, 2005

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